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DISSEMINATION: POLX
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APPROVED: AMB: NMCELDOWNEY
DRAFTED: POLEC: JBIGUS; GSABE
CLEARED: DCM: AKARAGIANNIS

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INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE

UNCLAS SECTION 01 OF 02 SOFIA 000305

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [PGOV](#) [BU](#)
SUBJECT: BULGARIA'S JULY 5 GENERAL ELECTIONS: NUTS AND BOLTS

Ref: (A) SOFIA 264, (B) SOFIA 278

11. (SBU) SUMMARY: Bulgarians go to the polls July 5 to elect 240 members of the unicameral parliament for a four-year office term. This year the MPs are elected through a newly-introduced "mixed" electoral system, in which 31 MPs are elected from districts on an individual, first-past-the-post basis. The remaining MP's are elected via a proportional system, based on party strength. Parties must win a minimum four percent of the nationwide vote to enter parliament. Local NGOs will deploy roughly 500 observers, mostly students, and OSCE/OHDIR roughly 20; a prime target is Bulgaria's growing and increasingly sophisticated vote buying. The Central Electoral Commission is expected to announce preliminary results of the July 5 vote within several hours of polls closing. Final results are due within seven days. The President convenes the first session of the new parliament within a month after the vote. He also taps, generally within a few weeks, the leader of the largest party as PM-designate to form a government; if that fails, the mandate slides to the leader of second largest party tally. For the third try, the President may chose among any of the remaining parties. The process can be protracted and last several months. A "technocratic government" is possible if all parties agree; the constitution is silent on a minority government but in practice it would be hard to piece and hold together, let alone to govern. The incumbent government continues on a lame-duck basis until its successor is sworn-in. Handicappers predict up to eight parties may break the threshold; if so, government formation will be messy and ugly. END SUMMARY

THIS YEAR'S LINEUP

12. (SBU) Bulgaria's unicameral parliament (the National Assembly) adopts legislation, approves the PM and his ministers, exercises control over the government, and sanctions deployment of troops abroad. Twenty parties and coalitions are running in this year's elections but only eight have a realistic chance to enter parliament. PM Stanishev's BSP, front-runner GERB, the predominantly ethnic Turkish Movement for Rights and Freedoms (MRF) and extreme nationalist party Ataka will easily cross the threshold. The real question will be the margin between the two largest parties (GERB and BSP) and the showing of the remaining four smaller groups: the center-right UDF-DSB "Blue Coalition," ex-PM Simeon

Saxe-Coburg's NMS, self styled "corruption fighter" Yane Yanev's populist Order, Law, and Justice (OLJ), and energy oligarch Hristo Kovachki's "business party" Leader. (Ref. B)

THE NEW "MIXED" ELECTORAL SYSTEM

13. (U) The 240 members of parliament (MPs) will be elected under the new mixed electoral system that the Socialist-led coalition government introduced only two months ago amid high-profile political controversy. Under this system, voters will effectively cast two ballots. One ballot is for the 209 proportional system seats from fixed, rank-ordered lists of parties' candidates in each of the 31 electoral regions, and one for a majoritarian candidate in each region. Each district is allocated a number of seats in parliament based on population. On party lists, voters cannot change the candidates' rank order or add or delete names, and in effect cast their vote for the party rather than the individual. Parties and coalitions must win a minimum four percent of the nationwide vote to enter parliament. Seats are then allocated to the parties in the electoral district in the same ratio as the distribution of votes in the district. Votes of parties not passing the threshold are divided among the winners according to their percent of the vote. For the 31 MPs elected under the majority system, parties nominate one majoritarian candidate for each district. A plurality wins the seat.

ELECTION RULES

14. (U) The election is organized and supervised by a Central Electoral Commission (CEC), whose 25 members are nominated by political parties represented in the national and European parliaments. Elections are preceded by a three-week campaign, which kicked off June 13. Campaigning is forbidden on election day. Polling stations open at 6 a.m. and close at 7 p.m. The voting age is 18. According to official data, there are 6.9 million eligible voters in Bulgaria (population approximately 7.3 million), but CEC officials acknowledge these numbers need updating and the true figure is probably about one million fewer. Polling stations are set up in Bulgarian diplomatic and consular missions abroad and in other locations at the discretion of the ambassador/consul. In countries where there are no missions voting could be arranged if at least 100 citizens declare their desire to vote. Bulgarian legislation does not allow absentee ballots -- citizens must cast their vote in person. The Foreign Ministry proposed 252 polling stations in 62 countries. The largest number is in Turkey (123), 5 in the U.S. Many Bulgarians who are ethnic Turks and who now live in Turkey are likely to return and vote (overwhelmingly for the MRF, prompting charges by other parties of machine politics and vote buying.)

15. (U) Exit polls are allowed but results cannot be announced before polling stations close. Preliminary results are usually announced by CEC within several hours after the end of voting. Final results for parties and coalitions are published by CEC within four days. The list of names of newly-elected MPs is announced in seven days.

FORMING THE NEW GOVERNMENT

16. (U) The President must convene the newly elected MPs for the first session of parliament within a month after the election. After convening the parliament and political consultations, the President tasks the PM-designate of the largest parliamentary group to form a government. The parliamentary group may be a political party, a pre-election coalition or a post-election union of political groups that ran separately in the elections. There is no set deadline for the President to ask the first-place group to form a government, though it is normally within three weeks. The incumbent cabinet operates on a lame-duck basis until its successor is sworn in.

17. (U) If parliament fails to approve the proposed government or the PM-designate fails to propose a cabinet within seven days of being asked, the mandate goes to the second largest parliamentary group. If the PM-designate of the second largest group fails to form a government, the President, at his discretion, tasks any of the other parliamentary groups to nominate a PM. If the third parliamentary group's PM-designate fails to form a government, the

President appoints a caretaker PM and government, dissolves parliament and schedules new elections within two months of the ceasing of the powers of the preceding parliament. The government formation process has taken roughly a month in most past post-communist elections. But a drawn out procedure is also possible, as the Constitution sets no deadline for the third PM-designate to form a government, and does not specify when the President may or may not call new elections. That decision is apparently left to the President's discretion and so far has not been contested. The outgoing government, for example, was formed two months after the June 2005 elections, with heavy involvement of the President.

¶8. (SBU) Another option is a "technocrat" government. If the parties cannot form a government, they have the option to submit a list of technocrats and experts agreed by all sides to parliament for majority approval. Bulgaria's one experience with a technocrat government in the 1990's was a disaster of corruption and mismanagement. A minority government is also possible, also tried in the 1990s. It lasted a fragile nine months and accomplished little.

¶9. (SBU) COMMENT: As seen in the European Parliament elections, if GERB does not win big and the small parties cross the threshold, as many as eight parties could enter parliament, complicating coalition building. The more fractious and contentious the process the greater role the President is likely to play, as in the difficult 2005 coalition negotiations. Despite bad experience with a technocrat government, there is more talk of going that route given the lack of a dominant party and the need for unity to navigate the financial crisis. END COMMENT.